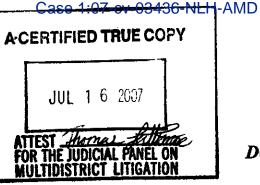
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Filed 07/24/2007

Page 1 of 5



DOCKET NO. 1850

JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

JUN 2 8 2007

FILED CLERK'S OFFICE

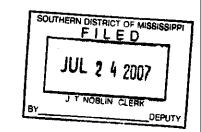
5:07 CV105

BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION

### IN RE PET FOOD PRODUCTS LIABILITY LITIGATION

(SEE ATTACHED SCHEDULE)

## **CONDITIONAL TRANSFER ORDER (CTO-1)**



On June 19, 2007, the Panel transferred 12 civil actions to the United States District Court for the District of New Jersey for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. See \_F.Supp.2d\_ (J.P.M.L. 2007). With the consent of that court, all such actions have been assigned to the Honorable Noel L. Hillman.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the District of New Jersey and assigned to Judge Hillman.

Pursuant to Rule 7.4 of the <u>Rules of Procedure of the Judicial Panel on Multidistrict Litigation</u>, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the District of New Jersey for the reasons stated in the order of June 19, 2007, and, with the consent of that court, assigned to the Honorable Noel L. Hillman.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of New Jersey. The transmittal of this order to said Clerk shall be stayed 15 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 15-day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

inasmuch as no objection is pending at this time, the stay is lifted.

JUL 1 6 2007

CLERK'S OFFICE
JUDICIAL PANEL ON
ULTIDISTRICT LITIGATION

Jeffery N. Lüthi

### **SCHEDULE CTO-1 - TAG-ALONG ACTIONS DOCKET NO. 1850** IN RE PET FOOD PRODUCTS LIABILITY LITIGATION

IN RETET FOOD I RODUCTS EIRBIEITT EITIGATIC	
DIST. DIV. C.A. #	CASE CAPTION
ARKANSAS EASTERN	
ARE 4 07-376	Scott Stacey, et al. v. Nestle SA, et al.
ARKANSAS WESTERN	
ARW 4 07-4036	Kirby Cooper v. Menu Foods Income Fund, et al.
ARW 5 07-5065	Sandra L. Gray, et al. v. Menu Foods, et al.
ARW 5 07-3005	Saikila D. Gray, et al. V. Meliu Poous, et al.
CALIFORNIA CENTRAL	
CAC 2 07-1987	Paul Randolph Johnson, et al. v. Menu Foods, Inc., et al.
CAC 2 07-2060	Dawn Howe v. Menu Foods Ltd., et al.
CAC 2 07-2253	Lois Grady, et al. v. Menu Foods Income Fund, et al.
CAC 2 07-2338	Kelly Finestone v. Menu Foods, Inc., et al.
CAC 2 07-2476	Richard Chamberlain v. Nestle SA, et al.
CAC 2 07-2779	Ken Wahl, et al. v. Menu Foods Income Fund, et al.
CAC 2 07-2964	Jayne Englander, et al. v. Menu Foods Income Fund, et al.
CAC 5 07-398	Dennis Lee Townsend, et al. v. Menu Foods Ltd., et al.
CALIFORNIA EASTERN	
CAE 2 07-654	Cheryl Carver v. Del Monte Foods Co., et al.
CALIFORNIA NORTHERN	
CALIFORNIA NORTHERN CAN 3 07-1809	Sherry Ingles v. Menu Foods, Inc., et al.
CAN 3 07-2665	Diane Lowery v. Menu Foods Income Fund, et al.
CAN 3 07-2003	Diane Lowery V. Menu Poods meonie Pana, et al.
CALIFORNIA SOUTHERN	
CAS 3 07-705	Robert Payne, et al. v. Menu Foods, Inc., et al.
CAS 3 07-706	Diane Swarberg v. Menu Foods Holding, Inc., et al.
CAS 3 07-734	Hayley Ford, et al. v. Menu Foods Income Fund, et al.
CAS 3 07-951	John Colliard v. Menu Foods, Inc., et al.
COLORADO	
CO 1 07-736	Emily Tompkins v. Menu Foods Midwest Corp., et al.
	• •
FLORIDA MIDDLE	
FLM 2 07-235	Maria Teresa Ferrarese v. Menu Foods, Inc., et al.
FLM 6 07-803	George Birney, et al. v. Menu Foods, Inc.
FLORIDA SOUTHERN	
FLS 1 07-20955	Stephen Donnelly, et al. v. Menu Foods, Inc., et al.
	•
IDAHO	
ID 1 07-160	Larry Klimes, et al. v. Menu Foods
ILLINOIS NORTHERN	
ILN 1 07-2162	Heather Amro v. Menu Foods Income Fund, et al.
ILN 1 07-2183	Gary Bruski v. Menu Foods, Inc., et al.
ILN 1 07-2211	Raymond Demith, et al. v. Nestle Purina Petcare Co., et al.
ILN 1 07-2237	Sonja Foxe v. Menu Foods, Inc., et al.
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SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

PAGE 2 OF 3

DIST. DIV. C.A. # CASE CAPTION

MASSACHUSETTS

MA 1 07-10745 Lidia Rodrigues v. Menu Foods, Inc., et al.

MA 1 07-10797 Megan Connerton, et al. v. Menu Foods Midwest Corp., et al.

MAINE

ME 2 07-54 Mara Brazilian v. Menu Foods Income Fund, et al.

**MINNESOTA** 

MN 0 07-1808 Stephanie Rozman v. Menu Foods Midwest Corp., et al. MN 0 07-2108 Wendy Krosschell v. Menu Foods Income Fund, et al.

MISSOURI WESTERN

MOW 3 07-5041 Richard Schwinger v. Menu Foods, et al.

MISSISSIPPI SOUTHERN

MSS 5 07-105 Sarah Cavin v. Menu Foods, et al.

**NEVADA** 

NV 2.07-686 Maragaret Picus v. Wal-Mart Stores, Inc., et al. Opposed 7-16-07

NV 3 07-159 Marion Streczyn v. Menu Foods, Inc., et al.

**NEW YORK SOUTHERN** 

NYS 1 07-3236 Mark Cashman, et al. v. Menu Foods Midwest Corp., et al.

OHIO NORTHERN

OHN 1 07-1018 Gregory Boehm v. Menu Foods, Inc., et al.

PENNSYLVANIA MIDDLE

PAM 1 07-929 Dixie Keller v. Menu Foods Ltd., et al.

RHODE ISLAND

RI 1 07-115 Carol Brown v. Menu Foods, Inc., et al.

TENNESSEE EASTERN

TNE 3 07-98 Barbara Light v. Menu Foods Income Fund

WASHINGTON WESTERN

WAW 2 07-685

WAW 2 07-575 Laura Migliore v. Menu Foods Gail Moran v. Menu Foods WAW 2 07-576 Sheryl Puett v. Menu Foods WAW 2 07-577 Daniel Ray Reeves v. Menu Foods WAW 2 07-634 Sheree A. Robinson v. Menu Foods WAW 2 07-666 Phyllis A. Ullman v. Menu Foods WAW 2 07-667 Elizabeth Palmer v. Menu Foods WAW 2 07-668 Jason Labbate v. Menu Foods WAW 2 07-669 Megan Whitt v. Menu Foods WAW 2 07-670 Linda Weitz v. Menu Foods WAW 2 07-684

Michelle Adams v. Menu Foods

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# SCHEDULE CTO-1 - TAG-ALONG ACTIONS (MDL-1850)

DIST. DIV. C.A. #	CASE CAPTION
WAW 2 07-686	Lerae Dineen v. Menu Foods
WAW 2 07-687	Sandra Shingle v. Menu Foods
WAW 2 07-688	Gary Thomas v. Menu Foods
WAW 2 07-689	Deborah A. Mullen v. Menu Foods
WAW 2 07-690	Helen Percy v. Menu Foods
WAW 2 07-745	Paula Monk v. Menu Foods
WAW 2 07-746	Tony Boyer v. Menu Foods
WAW 2 07-747	Norman Brenton v. Menu Foods
WAW 2 07-748	Lynda Nagel v. Menu Foods
WAW 2 07-749	Teresa Eilers v. Menu Foods
WAW 3 07-5204	Jeff Rusiecki v. Menu Foods
WAW 3 07-5205	Nancy Guthrie v. Menu Foods
WISCONSIN WESTERN	
WIW 3 07-159	Jacqueline Johnson v. The Procter & Gamble Co., et al.
W/IW/ 3 07-248	Penny I Roberts et al. v. Menu Foods Income Fund, et al.

William T. Walsh Clerk RECEIVED JUL 2 4 2007 Clerk, U.S. District Court Southern District of Miss.

UNITED STATES DISTRICT COURT MARTIN LUTHER KING, JR. FEDERAL BLD & U.S. COURTHOUSE **50 WALNUT STREET** P.O. BOX 419 NEWARK, N.J. 07101-0419

July 20, 2007

**CAMDEN OFFICE** 4th & Cooper Streets P.O. Box 2797 Camden, N.J. 08101

**TRENTON OFFICE 402 East State Street** P.O. Box 515 Trenton, N.J. 08603

**REPLY TO: CAMDEN** 

J. Michael McMahon, Clerk Daniel Patrick Moynihan U.S. Courthouse 500 Pearl Street New York, NY 10007-1312

Re: MDL1850 In Re: Pet Food Products Liability Litigation

District of New Jersey Civil Action No. 1:07cv2867(NLH)(AMD)

#### Dear Clerk:

Enclosed is a certified copy of the Order of the Judicial Panel on Multidistrict Litigation, transferring certain action(s) presently pending in your Court to the District of New Jersey and assigning it to the Honorable Noel L. Hillman, USDJ for coordinated or consolidated pretrial proceedings pursuant to 28 USC 1407. Please see the attached list for the cases that pertain to your Court.

If your court is currently on CM/ECF Version 3.0 you can transfer the case to us via Case Extraction in Utilities. If you have any questions, please call me at 856-757-5021.

Please return the copy of this letter when transmitting your file(s) and certified copy of the docket sheet(s).

Sincerely,

WILLIAM T. WALSH, Clerk

s/Marcy Barratt Deputy Clerk

Enc.

cc: Jeffrey N. Luthi

Clerk, Judicial Panel on Multidistrict Litigation